

GOLDSTEIN ISAACSON, PC

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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Lakeland Bank, a New Jersey Charter
State Bank, with its principal place of
business at 250 Oak Ridge Road,
Oak Ridge, New Jersey 07438,

Plaintiff,

-vs-

TAYLOR BABY in rem,
EDWIN RYBACKI, in personam,
RITA RYBACKI, in personam, and
MARC RYBACKI, in personam

Defendants.

Civil Action No. 07-CIV-6823 (SAS)

**CERTIFICATION OF
ANDREW J. GOLDSTEIN, ESQ.**

ANDREW J. GOLDSTEIN, hereby certifies as follows:

1. I am an Attorney at Law of the State of New Jersey and a partner in the firm Goldstein Isaacson, PC, attorneys for the plaintiff in the above-captioned matter commenced in the United States District Court for the Southern District of New York on July 30, 2007 by service of process in rem and in personam upon the Taylor Baby, ("the vessel"), and Edwin and Rita Rybacki.

2. This certification is submitted in support of the plaintiff's application for an Order permitting the sale of the vessel by the United States Marshal on April 4, 2008 at 12:00 p.m., at Storm King Marina, 2899 Route 9W, New Windsor, New York.

3. Even though service of process was made on August 13, 2007 upon the vessel by reason of the Warrant for Arrest, and upon Edwin and Rita Rybacki, by service of process of maritime

attachment and garnishment and Summons and Complaint, no appearance has been made on behalf of defendants in this matter.

4. On or about October 26, 2007, plaintiff filed a request for the entry of default against the defendant vessel, Taylor Baby, based upon the failure to answer or otherwise respond to the Summons and Complaint. Subsequently, on December 12, 2007, a judgment was entered against the defendant vessel, Taylor Baby, *in rem*.

5. Notice of seizure was published in the Times Herald Record on September 13, 2007, September 14, 2007 and September 16, 2007.

6. The vessel is presently located at Storm King Marina, 2899 Route 9W, New Windsor, New York, where it continues to incur substantial custodial fees, attorneys fees and insurance fees, which are being borne by the plaintiff.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated: 2/29/08



ANDREW J. GOLDSTEIN, ESQ.